

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALLSTATE FIRE AND CASUALTY :
INSURANCE COMPANY, :
as Subrogee of Alex Vazquez, :
Plaintiff, :
v. :
UNITED STATES OF AMERICA, :
Defendant. :
-----x

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>10/26/22</u>

ORDER

22 CV 7682 (VB)

On October 25, 2022, plaintiff submitted a proposed Civil Case Discovery Plan and Scheduling Order that indicates “all parties” consent to conducting all further proceedings before the assigned magistrate judge. (Doc. #11).

However, defendant has not formally appeared in the case.

A magistrate judge may exercise authority over all proceedings in this action only if all parties voluntarily consent. See 28 U.S.C. § 636(c)(1). Accordingly, by October 31, 2022, the parties are directed to file a joint letter confirming whether defendant consents to proceed before Magistrate Judge Judith C. McCarthy for all purposes.

In the event all parties consent, the parties shall complete the attached Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, and file it on the ECF docket.

Because defendant has not yet formally appeared in this case, plaintiff is directed to serve a copy of this Order on counsel for defendant and to file proof of such service on the docket by October 27, 2022.

Dated: October 25, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge

UNITED STATES DISTRICT COURT
for the

<hr/> <p style="margin: 0;">Plaintiff</p> <hr/> <p style="margin: 0;">v.</p> <hr/> <p style="margin: 0;">Defendant</p>	<p style="margin: 0;">)</p> <p style="margin: 0;">)</p> <p style="margin: 0;">) Civil Action No.</p> <p style="margin: 0;">)</p> <p style="margin: 0;">)</p>
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NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

Printed names of parties and attorneys

Signatures of parties or attorneys

Dates

Reference Order

IT IS ORDERED: This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date:

District Judge's signature

Printed name and title

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.